UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at GREENEVILLE

LOUIS BONANNO, SR.,)	
Plaintiff,)	
)	Case No. 2:12-cv-68
v.)	
)	Judge Mattice
RONNIE GREER,)	Magistrate Judge Carter
Judge,)	
)	
Defendant.)	
)	

ORDER

On March 5, 2012, United States Magistrate Judge William Carter filed his Report and Recommendation (Doc. 3) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Carter recommended that Plaintiff's action be dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)¹ and that Plaintiff's application for leave to proceed *in forma pauperis* be denied as moot.

Plaintiff filed his "Motion: in 'Objection' and for a Evidentiary Review, and to Void Judgment Order, as a Matter of Law or Right to Appeal."² (Doc. 4). However, Plaintiff's objections are merely reiterations of the original arguments raised in his Complaint. (*See* Doc. 2; Doc. 4 at 1-5). Further analysis of these same issues would be cumulative and is unwarranted in light of Magistrate Judge Carter's well-reasoned and

¹ In proceedings *in forma pauperis*, a district court must dismiss the case if it determines at any time that the action (1) is frivolous or malicious, (2) fails to state a claim on which relief may be granted, or (3) seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B).

² Plaintiff also filed a "Motion: Notice to Appeal Order/Recommendation" which was construed as an objection to the report and recommendation. (*See* Doc. 7). However, these objections were untimely filed, and moreover, were cumulative of those arguments contained in Plaintiff's initial objections.

well-supported Report and Recommendation, in which he fully addressed Plaintiff's

arguments.

Accordingly, the Court ACCEPTS and ADOPTS Magistrate Judge Carter's

findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and

Rule 72(b); Plaintiff's Objections (Doc. 4) are **OVERRULED**; Plaintiff's Motion for

Leave to Proceed on Appeal In Forma Pauperis (Doc. 1) and Plaintiff's Motion for

Summary Judgment (Doc. 5) are **DENIED AS MOOT**; and this case is hereby

DISMISSED WITH PREJUDICE.

SO ORDERED this 10th day of October, 2012.

/s/ Harry S. Mattice, Jr.

HARRY S. MATTICE, JR.

UNITED STATES DISTRICT JUDGE

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